

1957.

Serial Nos.

Previous References.

Forest. Boundary

[Handwritten signature]

12/01/57
26/6/58

Part B for

SUBJECT

Encroachment in Betta S.No. 58, of
Idagundi - Tal - Yellapur
Regularisation of.

WD 08758—GPB—50,000—10-10-58.

೩೨
 ಪುಣೆ. ನಾರಾಯಣಸ್ವಾಮಿ
 ಪರ್ವದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
 ಮೈಸೂರು ಮತ್ತು ಜಿಲ್ಲಾಸ್ಥಾನ

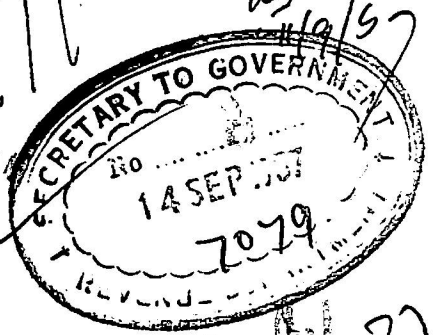
1.4.08

Qasungal

Subj: - Encroachment in Betla ②
 S.N: 58 of Idgundi, Tal. Yellapur
 Regularisation of ...

1) Letter No. 4A/1-F.R. S.R. 32, Dated 1-7-57
 from the Div Comm. Belgaum, recommending
 the proposal of the Collector reg. disforestation
 of 893 of land in Betla S.N. 58 of Idgundi
 and grant of the same to the encroacher
 to Subarya Narasimha Bahadur for fruit cultiva-
 tion. The Commr of Forests Belgaum has also
 no objection for disforestation.

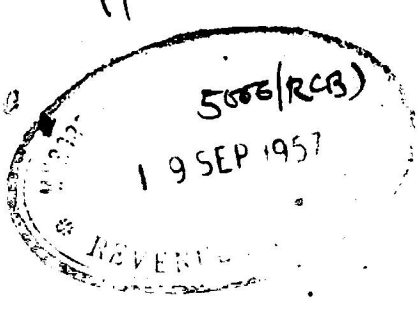
APD 339
 4/7/58
 W/M



Under the circumstances reported by the
 Collector the land may be disforested and
 surrendered to the R.D. for being granted to
 Shri Subarya. A draft order is put up
 for approval.

2) R.D. may be put to rest in accordance.
 E. P. 12527
 12/9/57
 10)

5/8
 10/9



In view of the circumstances
 explained by the at para 2. by the
 Div. Commr. Belgaum (at p. 5-c)
 the proposal may perhaps be
 agreed to.

7.10.57
 11/10/57

U.S (Rev: B)

DSR. 474
 9.10.

3) As the extent involved is only
 a portion of the proposal may be agreed to
 subject to the terms and conditions referred to
 I agree.

7/9/57
 10/11/57

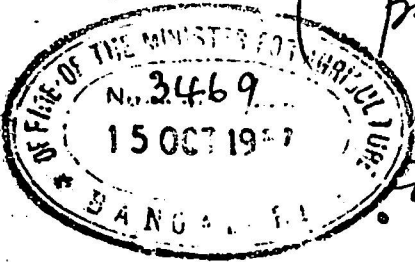
9.10.57
 D.S. R.D.
 A & F

AFD 339DST 57
(3)

6) Ray beatman
Munich *Lucy*

17-K-C

7) (Anti-trust) Approves. But the
and the value of the trees
per acre occupancy price seems to
be low. Hence the matter
may be verified and proper
values recovered from the party.



✓Hson 18/10

8) The C.C.F may be requested to ^{to} ^{the} ^{govt} communicate to Govt- the proper value of trees and the penal occupancy fees as the amounts suggested by the collector seem to be low.

Dec 25/10/57 9) Better rules and physical
reference

APR 339 (515)

Ge. P. L.

Slc - collector of Mahara

10) A Draft letter to the ~~CCF~~ ^{Chairman} is put up
for approval.

20/10/15

Ed. Pells

11) $\lim_{x \rightarrow 0} \frac{\log x}{x}$ - 2/3

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Serial
No.

12) Letter No. TRF 320, dated 14-4-58 from the ~~Director~~ Dy Comm Kanara. He reports that the peral occupancy price of Rs 96/- is not low. and the value of fruit for trees Rs 137/- also should be recovered from the petitioner. Necessary additions to this effect have been made in the draft G.O. and it may be approved. ~~Before~~ approval of the G.O., the A.D., may see the papers. Yr M. R.D. for concurrence or comments.

P. Venkataswamy

15/6 R.D.

14) The proposal of D.C. Contained in his letter of 14.4.58 as recommended by Div. Commr. Bellary on: Reg. grant of an area measuring 5 Cuntas out of E/S. no. 58 for being granted to Sri. S.N. Mah. of village for cultivation, may be approved on the terms & conditions suggested in D.C.'s letter.

15) Submitted w.r. to para 12 above.

17) R D for no comments. A + 7) 15/6

18) The draft G.O. may pl be approved

19) The proposal in para 14 D.S. may be approved.

20) 18/6/58

P. Venkataswamy

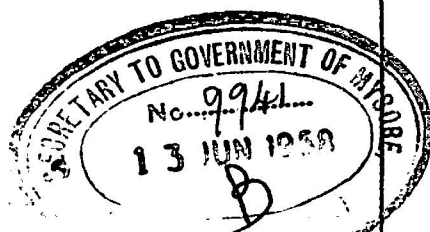
(M. Agri)

17/6

Mudappa 14/6

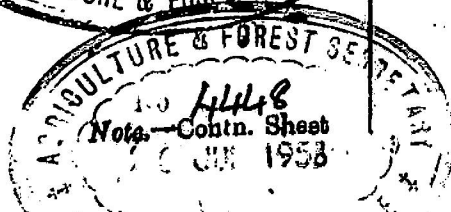


Office.
You have
written to initial
d.



12/6

In D
13/6



3

File No. *APD 339 DS* of 195*7*

Mysore Government
Secretariat

21) The draft *G.O.* may pl be approved

Serial
No.

Ues
2/6/58
S. P. Subh
2-6-58

du
36k

DS

Letter

To

The Secretary to Government,
Agriculture and Forests Department,
Secretariat, Bangalore.

No. TRF-320

Via Karwar, 29-5-1957

Subject: Encroachment in Betta S.No.58
of Idgundi, Taluka Yellapur ..
regularisation of .

I enclose herewith the correspondence ending with endorsement No. T.R.A.2553 dated 16-2-1957 from the Mamlatdar, Yellapur and have to state as follows:

The applicant Shri Subraya Narsinha Bhat of Idgundi, taluka Yellapur, has encroached upon an area of 8 gunthas of land out of Betta Survey No.58 of Idgundi village about 10 years back. The Betta S.No.58 stands assigned to the applicant's mulgeni S.No. 35 of the same village. The encroacher has planted cocoanut, plantain and betelnut trees in the encroached area. The applicant (encroacher) ~~regrets~~ ^{requests} for the grant of the encroached area to him after disforestation .

The revised forest policy for Kanara district has been enunciated in G.R., A. & F.D.No. FDM-1054 dated 28-1-1955 and the procedure for regularising encroachments in forest lands covered by the above-said Government Resolution, has been detailed in G.R., A. & F.D.No. FDM-1054 dated 7-3-1955. But the encroachment in the present case being in a Betta Survey No. (which is a protected forest) is not covered by the G.Rs of 28-1-1955 and 7-3-1955 since there is no mention of Betta lands in the said two Government Resolutions. Hence this case is submitted to Government for regularisation, ~~as~~ as

(P)

it is doubtful whether the Collector can regularise it.

The encroacher is willing to pay the occupancy price of Rs. 96/- as estimated by the panchas, which is reasonable in view of the G.R. A. & F.D.No.FLD-1353/46390 dated 3-11-1953, the provisions of which will apply to the present case. The encroacher is also willing to pay the value of the revenue trees viz Rs.78/- as estimated by the Panchas.

The Conservator of Forests, S.C.,Belgaum who was consulted in the matter, has no objection to grant the encroached area to the encroacher provided he does not claim any additional betta area in ^{lieu} ~~view~~ of the area to be granted to him (Vide page 105). The encroacher has expressed in writing that he will not ask for additional betta area in lieu of the area to be granted to him (Vide page 27).

The other wahiwatdars of the Betta S.No. have also no objection to grant the area in question to the encroacher (Vide statement of the Wahiwatdars at page 171). The applicant and the Wahiwatdars of the adjoining Malki S.No. 35 are willing to relinquish the malki S.No.35 and retake it with the area proposed for disforestation on the same tenure on which the original S.No. is held (Vide statements at pages 111 to 119).

In the circumstances, sanction may be accorded to the grant of an area of 0-8-0 ^G out of Betta S.No. 58 of Idgundi as shown in

sketch at page 93, to Shri Subraya Narasimha Bhat on permanent basis on the following terms and conditions:

- (1) The grantee (mulgenidar) and the wahiwar-dars of the adjoining Malki S.No.35 should relinquish the Malki S.No.35 and retake it with the disforested area on the same tenure on which the said S.No. is held.
- (2) The grantee should pay penal occupancy price of Rs. 96/- .
- (3) The grantee should pay Rs.78/- as value of the revenue trees.
- (4) The grantee should preserve the forest trees, if any, in the land till they are disposed of by the Forest Department.
- (5) The grantee should preserve the public rights, if any, in the land.
- (6) The grantee should not demand any additional betta area in lieu of the 0-8-0 granted to him.

Papers of the case from pages 1 to 172

accompany.

O.C. signed by
Collector
C.A.H.Q.

20/5
for Collector of Kanara.

sbm. 22/5. Submitted through the Divisional Commissioner, Belgaum

3 JUN 1957

GR (FOR) was ideal.

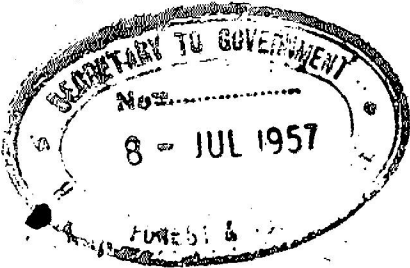
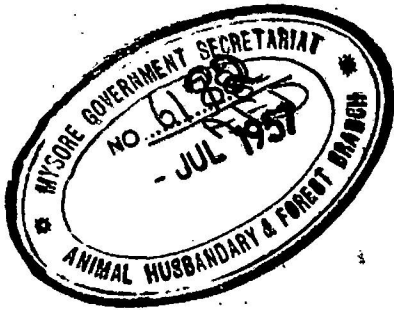
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22/6.

25/6

11/4/5

Subject:-- Encroachment in Betta S.No. 58 of Idgundi village, in Yallapur taluka of North Kanara district. Regularisation of....



No.GB/F.O.R.S.R.32.

Belgaum, 1.7.1957.

To

The Secretary to Government,
Agriculture & Forest Department,
Bangalore.

Sir,

I enclose herewith the correspondence received along with the Collector of North Kanara's letter No. TRF.320, dated 29.5.1957 on the above subject, for the orders of Government.

2. I agree with the Collector and recommend that Government may kindly be moved to accord necessary approval to disforest an area of eight gunthas of land out of Betta S.No.58 of Nidgundi village in taluka Yallapur for being granted to Shri S.N.Bhat of Nidgundi, for cultivation for the reasons stated in the Collector's letter referred to above. Government may also kindly be moved to grant the land in question to the encroacher Shri Bhat, the terms and conditions as proposed by the Collector in his letter quoted above.

Yours faithfully,

Dr. P. S. Manandavijaya
Divisional Commissioner, Belgaum.

asm.

SUBJECT.....*Encroachment in Petta 514-58 of Idagundi, Tal
Yellafra, - Regularisation of -*

Diary No. of letter replied to.....

Section

Serial No.

Mysore Government Secretariat

File No.

()

the

195

Proceedings of the Government of
Mysore

Date of Issue.....

Read—Letter No. TRF 320 dated 29-5-57
from the *Collector* of Kanara, propo-
sing the disforestation of 895 of land
in Petta 514-58 of Idagundi and for
being granted for *Shree Subbaraj
Harsimha Bhat of Idagundi* for fruit
cultivation.

Signed by.....

Read Letter No. GB FOR SR. 32 dated
1-7-57, from the *Dis Comm Belgium*
recommending the proposal of the
Collector

May this be—

- (i) printed?
- (ii) treated as a Standing Order?
- (iii) published in the Gazette,
English Part?
- (iv) translated?
- (v) placed at the disposal of the Press?
- (vi) published in the Gazette,
Kannada Part?

Read endt No. 22/33/7173, dated 11-8-55
Order thereon. No. from the *Cons of forests*
Belgium communicating that he has
no objection for disforestation of the land.

Order No. AI-10 DST 57

Govt- is pleased to direct-
that an area of 895 of land in
Petta 514-58 of Idagundi should
be disforested and surrendered
to the R.D. for being granted

to Shri Subraya Narasimha Bhat-
of Idgundi for fruit-cultivation
subject to the following conditions.

- (1) The grantee (Mudgendar) and the
wamiwatdas of the adjoining Malki S.N.
35 should delineate the Malki S.N. 35
and relate it with the disforested area
on the same tenure on which the said
S.N. is held.
- (2) The grantee should pay penal occupancy
price of Rs 96/- and value of forest trees Rs 137/-
- (3) The grantee should pay Rs 137/- as value of
the revenue trees.
- (4) The grantee should preserve the forest-trees
if any, in the land till they are disposed of
by the Forest Department.
- (5) The grantee should preserve the public
rights, if any, in the land.
- (6) The grantee should not demand any
additional Patta area in lieu of the
8 3/4 of land granted to him.

List of Enclosures.

By order etc.

By order to Govt
W.S. 11/10/57

W.S. 9/6/58

To

The Div Commr Belgaum. (with file) (pages 1 & 171)
The Collector of Kanara. P 1 & 171

The C.C.I. Belgaum. with a request to
submit draft Notification req.
disforestation of land to Govt for
publication in the Gazette.

The Cons of Forests Belgaum.

Copied by

Examined by

9/c (12)

M. G. S. App. F VI—G. 2]

SUBJECT Encroachment in Patta S. No. 58 of 229 a. 2; Tal. Yellapur - Regularisation

Diary No. of letter replied to.....

Section

Serial No.

File No.

Mysore Government Secretariat

M. A. D. 339 B. S. 57 9. 5. 11. 57

(the

195

Proceedings of the Government of Mysore

Date of Issue..... 195

Read 20

The collector of Kanara

Signed by.....

Issued
Mr. S. 11. 57

Sir,

Ref: Your letter No. TR 1-320
dated 29-5-1957 on the above

May this be—

- (i) printed?
- (ii) treated as a Standing Order?
- (iii) published in the Gazette, English Part?
- (iv) translated?
- (v) placed at the disposal of the Press?
- (vi) published in the Gazette, Kannada Part?

subject:

Order thereon. No.

2) I am directed to state that the occupancy price of the land and the value of trees, mentioned in the last para of your letter ~~are~~ ^{are} ~~to be~~ ^{are} low. Therefore, you are requested to ~~these amounts~~ ^{the matter} and submit may be verified again and

for the enclosure 2422
the correct price with
value of the trees in question

2. The ~~is~~ ^{is} ~~in~~ ⁱⁿ ~~the~~ ^{the} ~~title~~ ^{title} ~~of~~ ^{of} ~~the~~ ^{the} ~~land~~ ^{land} ~~is~~ ^{is} ~~low~~ ^{low} ~~and~~ ^{and} ~~therefore~~ ^{therefore} ~~you~~ ^{you} ~~are~~ ^{are} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~submit~~ ^{submit} ~~the~~ ^{the} ~~matter~~ ^{matter} ~~and~~ ^{and} ~~submit~~ ^{submit} ~~may~~ ^{may} ~~be~~ ^{be} ~~verified~~ ^{verified} ~~again~~ ^{again} ~~and~~ ^{and} ~~submit~~ ^{submit} ~~proper~~ ^{proper} ~~values~~ ^{values} ~~early~~ ^{early}.

(13)

Copy given to the Dir Comm. Belgium
for information, with ref to his letter
N^o 4B/1-0 R.S.R. 32 of 17-1957.

Copy given to the Cons of Belgium
for information.

List of Enclosures.

Copied by

Examined by

11/e 14

Letter

To

The Secretary to Government,
Agriculture & Forests Department,
Mysore State, Bangalore.



No. TRF. 320

Karwar, 12-4-1958.

Subject: Encroachment in Betta S.No. 58 of
Idgundi village, taluka Yellapur.
Regularisation of the

Reference: Govt. letter A. & F.D. No. 339 D.S.T.
57 dated 5-11-1957.

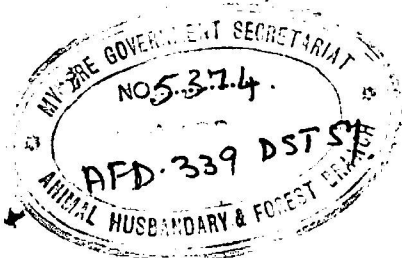
In this case, Government have directed to report the correct penal occupancy price and the value of the trees in respect of 0-8-0 land encroached in Betta S.No. 58 of Idgundi village.

In view of the orders contained in Government Resolution, Agriculture and Forests Department No. FLD 1353/46390 dated 3-11-1953, the penal occupancy price of Rs. 10/- is charged per guntha for regularising the encroachment on forest land.

According to this, the penal occupancy price to be recovered works out to Rs. 80/-. Hence, the penal occupancy price of Rs. 96/- already proposed under this office letter No. TRF 320 dated 29-5-1957 does not seem to be low as the price proposed is as per the estimate made then. The Tahsildar, however, reports that the present price of the land is estimated at Rs. 120/- due to the fact that the encroacher has made much improvement in the area year by year. In view of this, the penal occupancy price of Rs. 96/- already proposed may be ordered to be levied in this case.

As regards the value of the trees in the said area, it is reported that there are no revenue trees (except one Jack Fruit tree valued at Rs. 5/-)

P.T.O.



(8)

and that the encroacher has planted the following trees in the encroached area, the present value of which is as shown below:

Kind of trees.	No. of trees planted.	Value.
		Rs.
Aracanut	130	130-0-0
Cocoanut	2	2-0-0
Total		132-0-0
+ value of Jack fruit tree		5-0-0
Total		137-0-0

The trees, even though planted by the encroacher, are to be charged as they have been planted on Govt. land. So, the value of the trees which is estimated at Rs. 137/- may be ordered to be recovered in this case.

(M. S. Shankara Rao)
Deputy Commissioner, Kanara.

14/4

C16

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Read:-

1. Letter No.TRF 320 dated 29-5-57 from the Deputy Commissioner of Kanara proposing the disforestation of 8 guntas of land in Betta S.No.58 of Idgundi for being granted to Shri Subraya Narsimha Bhat of Idgundi for forest cultivation.
2. Letter No.CB.FOR.SR.32 dated 1-7-57 from the Divisional Commissioner Belgaum recommending the proposal of the Collector.
3. Endorsement No.22/33/7173 dated 11-8-55 from the Conservator of Forests, Belgaum communicating that he has no objection for disforestation of the land.

Order No.APD 339 DST 57

Bangalore, Dated the 3 July 1958
Ashadha 13 Saka Era 1980

Government is pleased to direct that an area of 8 guntas of land in Betta S.No.58 of Idgundi should be disforested and surrendered to the Revenue Department for being granted to Shri Subraya Narsimha Bhat of Idgundi for fruit cultivation subject to the following conditions:-

- (1) The grantee (Mulgenidar) and the Wahiwatdars of the adjoining Malki S.No.35 should relinquish the Malki S.No.35 and retake it with the disforested area on the same tenure on which the said S.No. is held.
- (2) The grantee should pay penal occupancy price of Rs.96/-.
- (3) The grantee should pay Rs.137/- as value of the revenue and fruit trees.
- (4) The grantee should preserve the forest trees if any, in the land till they are disposed of by the Forest Department.
- (5) The grantee should preserve the public rights, if any, in the land.
- (6) The grantee should not demand any additional Betta area in lieu of the 8 guntas of land granted to him.

By Order and in the name of the
Governor of Mysore,

(M.N. Gundu Rao)
Deputy Secretary to Government,
Agriculture & Forest Departments.

To

The Divisional Commissioner, Belgaum (with file). (P1 K 171)
The Collector of Kanara.
The Chief Conservator of Forests, Bangalore, with a request to submit to Government draft Notification regarding disforestation of land for publication in the Gazette.
The Conservator of Forests, Belgaum.

Can.1/7/58.

Issued on
3/7/58
Am